

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Crage Culver,

Plaintiff,

vs.

Alvin S. Glenn Detention Center; Officer
Robenson; Sergeant Bufford; and Doctor
Morris,

Defendants.

C.A. No.: 4:07-00161-RBH

O R D E R

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

No objections were filed to the Report and Recommendation. The Report and Recommendation was mailed to the defendant at his last known address on July 9, 2008. On July 15, 2008, the Report and Recommendation was returned to the court as undeliverable and marked

“not here” and “return to sender” on the return envelope. The court was notified on January 3, 2008 of a change of address by the plaintiff [entry # 65], and was also advised in this letter “that there would be another change of address soon,” but the court has not received any change of address since January 3, 2008. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Rogers’ Report and Recommendation and incorporates it herein. It is therefore

ORDERED that defendant Moore’s motion for summary judgment [document #50] and defendants Robenson and Bufford’s motion for summary judgment [document #52] is hereby **GRANTED** and this claim is **DISMISSED** with prejudice.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
July 29, 2008